

ENTERED

September 21, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

JENNIFER SCARBOROUGH,

VS.

ALEXANDRA LOZANO, *et al.*,§
§
§
§
§
§
§

CIVIL MISC. ACTION NO. 1:22-mc-100

ORDER

Jennifer Scarborough, representing herself, filed a Motion to Quash Third-Party Subpoena and for a Protective Order (Doc 1). Alexandra Lozano, Giulia Fantacci, and Angelyne Lisinski are plaintiffs in a lawsuit pending in the Southern District of Ohio. *See Lozano v. John Does 1 through X*, Docket No. 2:22-cv-03089 (S.D. Ohio) (“*Lozano Case*”). On August 12, 2022, Magistrate Judge Kimberly A. Jolson granted Lozano, Fantacci, and Lisinski leave to serve third-party subpoenas before the conference required by Federal Rule of Civil Procedure 26(f). (Order, Doc. 1-4) Based on that Order, on or about August 22, Plaintiffs served a Subpoena to Testify at a Deposition in a Civil Action on Jennifer Scarborough, requiring compliance with the subpoena in Harlingen, Texas, within the jurisdiction of the Southern District of Texas–Brownsville Division. (Subpoena, Doc. 1-1)¹

Scarborough objects to the subpoena as overly broad, unduly burdensome, and as seeking information not relevant to the causes of action in the *Lozano Case*. (Motion, Doc. 1) She also argues that the Compliance Court should quash the subpoena on the grounds that the Issuing Court lacks personal jurisdiction over her. In the alternative, Scarborough seeks a protective order limiting her deposition testimony and permissible discovery to the issue of Scarborough’s contacts with Ohio.

To facilitate the Compliance Court’s consideration of the Motion, it is:

¹ In connection with the subpoena, the Southern District of Ohio represents the Issuing Court, while the Southern District of Texas represents the Compliance Court.

ORDERED that Jennifer Scarborough's Motion to Quash Third-Party Subpoena and For a Protective Order is **GRANTED IN PART**, as described in this Order;

ORDERED that Jennifer Scarborough is not required to respond to the subpoena in *Lozano v. John Does 1 through X*, Docket No. 2:22-cv-03089 (S.D. Ohio) (Doc. 1-1), pending the Compliance Court's resolution of the substantive issues raised within the Motion to Quash Third-Party Subpoena and for a Protective Order (Doc. 1);

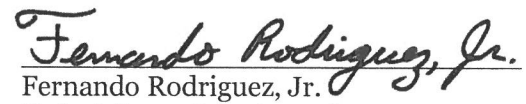
ORDERED that by no later than September 26, 2022, Jennifer Scarborough shall file a Notice in *Lozano v. John Does 1 through X*, Docket No. 2:22-cv-03089 (S.D. Ohio), attaching a copy of this Order;

ORDERED that by no later than October 3, 2022, Jennifer Scarborough shall file with the Compliance Court a Notice demonstrating her compliance with the previous paragraph; and

ORDERED that by no later than October 10, 2022, Plaintiffs Alexandra Lozano, Giulia Fantacci, and Angelyne Lisinski in *Lozano v. John Does 1 through X*, Docket No. 2:22-cv-03089 (S.D. Ohio), shall file with the Compliance Court a response to the Motion to Quash Third-Party Subpoena and for a Protective Order (Doc. 1). The Compliance Court advises Plaintiffs Alexandra Lozano, Giulia Fantacci, and Angelyne Lisinski that their failure to file a response by the indicated date shall be viewed as their agreement to the relief requested in the Motion to Quash Third-Party Subpoena and for a Protective Order (Doc. 1).

It is also **ORDERED** that for the purpose of filing the required response and in connection with the resolution of the issues raised by the Motion to Quash Third-Party Subpoena and for a Protective Order (Doc. 1), counsel for Plaintiffs Alexandra Lozano, Giulia Fantacci, and Angelyne Lisinski in *Lozano v. John Does 1 through X*, Docket No. 2:22-cv-03089 (S.D. Ohio), are deemed admitted in the Southern District of Texas, without the necessity of having to submit an Application for Admission *Pro Hac Vice*.

Signed on September 21, 2022.


Fernando Rodriguez, Jr.
United States District Judge